

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

*** FILED ***
06/03/2002

05/21/2002

CLERK OF THE COURT
FORM D000A

HONORABLE BRIAN K. ISHIKAWA

B. Wessing
Deputy

FC 2001-091061

IN RE THE MATTER OF
TERI GALLOWAY

FILED: _____

TERI GALLOWAY
326 W ASPEN AVE
GILBERT AZ 85233-0000

AND

SCOTT LANCE

SCOTT LANCE
841 S WICKIUP
APACHE JUNCTION AZ 85219-
0000

PATERNITY JUDGMENT

8:26 a.m. This is the time set for **Trial**. Petitioner is present on her own behalf. Respondent is present on his own behalf.

Court Reporter, Kathy Incavo, is present.

Teri Galloway and Scott Lance are sworn.

The parties advise the Court they have reached agreements as to all of the issues.

Respondent provides the Court with a copy of the Agreement Reached in Mediation and Parenting Plan Joint Legal Custody.

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With regard to the issue of child support,

The Court ascertains that the parties agree to continue with the child support as set forth in the Expedited Services Report, Recommendation and Order, which was signed by the Court on April 29, 2002.

The Court states the parties' agreement on the record.

1) The parties agree with the Parenting Plan Joint Legal Custody, dated May 9, 2002, which is set forth below:

WEEKDAY AND WEEKEND SCHEDULE

- The minor Children, Savannah Shey Lance, dob: 12/23/94 and Shelby Lee Lance, dob: 01/29/98, will be in Father's care alternating weeks from Monday morning to Monday morning.
- The minor Children, Savannah Shey Lance, dob: 12/23/94 and Shelby Lee Lance, dob: 01/29/98, will be in Mother's care alternating weeks from Monday morning to Monday morning.
- The Children will leave for school from the Mother's home.
- Transportation will be provided by the Father.
- Parents may change their parenting time arrangements by mutual agreement.

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TRAVEL/SUMMER MONTHS/VACATIONS

- This weekday and weekend schedule will apply for all twelve (12) calendar months, with no specific changes during summer months.
- Should either parent travel with the Children out of the area, the traveling parent will inform the other parent of travel plans and provide contact information including address(es) and telephone number(s) where the traveling parent and Children may be reached during the trip.
- Neither parent shall travel with the Children outside of Arizona for more than seven (7) days without prior written consent of the other parent or a Court Order authorizing the trip.

HOLIDAY SCHEDULE (Takes priority over the regular parenting time schedule)

- On three-day weekends (such as Civil Rights Day, Columbus Day, Presidents' Day, Memorial Day, Labor Day, etc.) the children will remain in the care of the parent who has the children for the weekend.
- New Year's Eve/Day: The parents will follow their regular schedule.
- Spring School Break: The parents will follow their regular schedule.
- Easter: The parents will follow their regular schedule.
- Mother's Day will be celebrated with Mother every year.
- Father's Day will be celebrated with Father every year.

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- 4th of July: The parents will follow their regular schedule.
- Halloween: The parents agree to alternate.
- Thanksgiving: (Wednesday after school to Thursday evening) The Children will be with their father in odd-numbered years and with their mother in even-numbered years.
- Christmas Eve: (8:00 a.m. to Christmas Day at 8:00 a.m.) The children will be with their father in odd-numbered years and with their mother in even-numbered years.
- Christmas Day: (8:00 a.m. to December 26th at 8:00 a.m.) Will be the reverse of Christmas Eve.
- Winter School Break: The parents will follow their regular schedule.
- Children's Birthdays: Each parent will make his/her own arrangements to celebrate.
- Parents' Birthdays: The parents will follow their regular schedule.

TELEPHONE ACCESS

- Each parent may have telephone contact with the children during the children's normal waking hours.

PARENTAL ACCESS TO RECORDS AND INFORMATION

- Pursuant to A.R.S. Section 25-403(H), "Unless otherwise provided by court order or law, on reasonable request both parents are entitled to have equal access to documents and other information concerning the child's

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education and physical, mental, moral and emotional health including medical, school, police, court and other records directly from the custodian of the records or from the other parent. A person who does not comply with a reasonable request shall reimburse the requesting parent for court costs and attorney fees incurred by that parent to force compliance with this subsection. A parent who attempts to restrict the release of documents or information by the custodian under this subsection without a prior court order is subject to appropriate legal sanctions."

EDUCATIONAL ARRANGEMENTS

- Both parents have the right to participate in school conferences, events, and activities, and the right to consult with teachers and other school personnel.
- Parents will make major educational decisions together.

MEDICAL AND DENTAL ARRANGEMENTS

- Both parents have the right to authorize emergency medical/dental treatment, if needed, and the right to consult with physicians and other medical practitioners. Both parents agree to advise the other parent immediately of any emergency medical/dental care sought for the children, to cooperate on health matters pertaining to the children and to keep one another reasonably informed regarding the status of their children's health. Both parents agree to keep each other informed as to names, addresses and telephone numbers of all medical/dental care practitioners.
- Parents will make all major medical and dental decisions together, except for emergency situations as noted above.

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RELIGIOUS EDUCATION ARRANGEMENTS

- Each parent may take the children to a church or place of worship of his/her choice during the time that the children are in his/her care.

ADDITIONAL ARRANGEMENTS AND COMMENTS

- Each parent will inform the other of any change of address and/or phone number in advance.
- **NOTE:** If either parent intends to relocate outside the state or more than 100 miles within the state, they will provide at least 60 days advance written notice to the other parent and adhere to the provisions set forth in A.R.S. Section 25-408.
- Both parents agree that each will promptly inform the other of any emergency or other important event involving their children.
- Parents will consult and agree with one another regarding any extra activity that affects the children's time with the other parent.
- Parents agree to consider each other as care-provider of the children before making other arrangements.
- Each parent agrees that all communications regarding the children will be between the parents and that they will not use the children to convey information or to make changes to the parenting plan.
- Each parent agrees to encourage love and respect between the children and the other parent. Neither parent shall do anything, which may undermine the other parent's relationship with the children.

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- The parents will work cooperatively to develop future plans in the best interests of their children and to amicably resolve any disputes that may arise regarding their children's care.
- The parents agree that if either parent moves outside the state or more than 100 miles within the state and returns at a later date, they will revert to using their most recent parenting time arrangements prior to the move until other arrangements can be negotiated.
- If either parent is unable to honor/meet their parenting time responsibilities, that parent will notify the other parent as soon as possible.
- If the parents cannot reach a mutual agreement regarding a legal change to their parenting time orders, they may petition for mediation through the Court or hire a private mediator to attempt to resolve any issues in dispute.
- Parents are advised that while a dispute is being resolved, neither parent shall deviate from this parenting plan, or act in any way that is inconsistent with the terms of this agreement.
- The parents are advised that once this parenting agreement has been made an order of the Court, either parent may submit any parenting time noncompliance issues for possible enforcement to Expedited Services. Expedited Services is located on the first floor of the Superior Court building at 222 E. Javelina. Their phone number is (602) 506-3762.
- The parents agree to joint legal custody.

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- The parents agree to review the terms of their joint legal custody agreement and make any necessary or desired changes every summer.

2) Child Support should continue as ordered by the Court on April 29, 2002.

Teri Galloway and Scott Lance, having previously been sworn, testify.

THE COURT FINDS that the parties have knowingly, voluntarily and intelligently entered into the agreement. The agreement is in the best interest of the minor Children, Savannah Shey Lance, dob: 12/23/94 and Shelby Lee Lance, dob: 01/29/98.

Pursuant to Rule 80(d), Arizona Rules of Civil Procedure, the agreement having been made in open Court,

THE COURT FINDS it is binding on the parties as entered on the record.

The Court ascertains that both parties have completed the Parent Information Program and have filed a Notice of Completion.

Jurisdictional testimony is taken.

Based upon the testimony and evidence presented to the Court and the agreement reached between the parties, the Court makes the following findings and orders:

I. JURISDICTION

THE COURT FINDS that the minor Children who are the subject of this action lived in Arizona with a parent for six consecutive months or more prior to the commencement of this action, or at least from the time of birth of the children until this action

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was commenced, such that Arizona is the home state of the children pursuant to A.R.S. Section 25-433(A)(1); and that this Court has jurisdiction over the parties and issues presented as authorized by law.

II. PATERNITY

Pursuant to the stipulation of the parties, on March 4, 2002 the Court made a finding that Scott Lance is the natural Father of the two minor Children, Savannah Shey Lance, dob: 12/23/94 and Shelby Lee Lance, dob: 01/29/98, and an Order of Paternity was entered on March 4, 2002.

III. CUSTODY AND PARENTING TIME

THE COURT FINDS that it is in the best interest of the parties' minor Children that the parties have joint legal custody.

THE COURT FURTHER FINDS that the Parenting Plan Joint Legal Custody, dated May 9, 2002, is in the best interest of both minor Children. Therefore,

IT IS ORDERED granting the parties joint legal custody of the two minor Children, Savannah Shey Lance, dob: 12/23/94 and Shelby Lee Lance, dob: 01/29/98.

IT IS FURTHER ORDERED adopting the Parenting Plan Joint Legal Custody Agreement reached by the parties and dated May 9, 2002.

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IV. CHILD SUPPORT

Pursuant to the agreement of the parties and good cause appearing,

IT IS ORDERED adopting and approving as a final Order the Expedited Services Report, Recommendation and Order dated April 29, 2002.

V. CONCLUSION

IT IS ORDERED approving and settling the formal written Judgment which is signed by the Court this date and filed herein.

8:48 a.m. Matter concludes.

Dated this 21st day of May, 2002.

/S/ HONORABLE BRIAN K. ISHIKAWA

JUDICIAL OFFICER OF THE SUPERIOR COURT